

FILED



10:01 am, 7/8/22

Tim J. Ellis
Clerk of Court

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING

In re:

MERRILL JOHN HULL,

Debtor.

Case No. 18-20171
Chapter 7

ORDER DENYING APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

THIS MATTER comes before the court on the Application for Payment of Unclaimed Funds by JM Partners LLC, Assignee (ECF No. 204). The court has reviewed the Application and denies it, as follows.

The Application was received on April 21, 2022. On May 16, 2022, the Clerk issued a Notice of Non-Compliance with L.B.R. 3011-1 (ECF No 205). On June 10, 2022, the Application and Notice were docketed.

The Application seeks release to “JM Partners LLC, Assignee” of \$4,829.94 originally due to CHS, Inc., the owner of record.¹ The Application states JM Partners LLC (“Claimant”) located CHS, Inc., disclosed the full details of the account, and CHS, Inc. sold and assigned the account to Claimant accordingly. The Application is supported by several documents, including an Affidavit and Identification of Claimant/Assignee; a Purchase and Assignment of Interest; a Bill of Sale; the Affidavit of Assignor; and a Photo ID of Assignor or its Representative.

As stated in the Clerk’s Notice of Non-Compliance, an IRS Form W-9 for the owner of record was not submitted with the Application, and the proposed order submitted with the application provided for the Clerk to disburse funds directly to Claimant as assignee. Local Bankruptcy Rule 3011-1 governing unclaimed funds requires submission of an IRS Form W-9 for the owner of record. In addition, Rule 3011-1 provides if the owner of record is not the claimant, “the clerk shall issue the check payable to the owner of record but will mail the payment to the claimant.” L.B.R. 3011-1(C).

Accordingly, it is

ORDERED the Application is DENIED without prejudice.

BY THE COURT

A handwritten signature in blue ink that reads "Cathleen D. Parker".

7/8/2022

Honorable Cathleen D. Parker
United States Bankruptcy Court
District of Wyoming

¹ The claims register and Trustee’s Final Report indicate the claimant is Anton Champion, but upon examination of the proof of claim on file, Claim No. 6-1, the creditor is CHS, Inc. Mr. Champion executed the proof of claim on the creditor’s behalf, as an officer of that entity.